

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,  
Plaintiff,

v.

FIDEL VALENCIA,  
Defendant.

No. CR-06-6057-FVS

ORDER MODIFYING CONDITIONS OF  
SUPERVISED RELEASE

**THIS MATTER** came before the Court for a supervised release violation hearing on July 17, 2008. Assistant United States Attorney Donald E. Kresse, Jr. appeared on behalf of the United States. The Defendant was present and represented by Kraig Garnder. This order is intended to memorialize and supplement the Court's oral ruling.

The Defendant contests the first violation alleged in the Petition of May 13, 2008. However, he admits to driving a vehicle without an ignition interlock device. He has also acknowledged that the terms of his occupational driver's license limit him to operating vehicles that have such a device installed. The Court accordingly finds that the Defendant has violated a provision of the law of the State of Washington and, consequently, a provision of his supervised release.

The Defendant acknowledges that the factual allegations underlying the second alleged violation are true. The Court finds and

1 concludes that the allegations in the Petition of May 13, 2008 are  
2 true and the Defendant has violated the terms of his supervised  
3 release.

4 As the Defendant has generally been compliant with the terms of  
5 his supervised release, the Court finds it unnecessary to revoke the  
6 Defendant's supervised release. Instead, the Court will extend the  
7 Defendant's supervised release until the end of the year, December 31,  
8 2008, so that he may demonstrate his compliance. The Court being  
9 fully advised,

10 **IT IS HEREBY ORDERED:**

11 1. The Defendant's Motion to Dismiss, **Ct. Rec. 61**, is **DENIED**.

12 2. The Defendant's supervised release is **EXTENDED** for a period of  
13 six (6) months, to conclude on **December 31, 2008**.

14 3. All other conditions of the Defendant's supervised release  
15 shall remain the same.

16 **IT IS SO ORDERED.** The District Court Executive is hereby  
17 directed to enter this order and furnish copies to counsel.

18 **DATED** this 18th day of July, 2008.

19  
20 s/ Fred Van Sickle  
Fred Van Sickle  
21 Senior United States District Judge  
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